

Prevention of Pollution of the Sea Bill

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Bill No: 54/1970

Read the first time: 30th December 1970

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Prevention of Pollution of the Sea Bill

Bill No. 54/1970

Read the first time on 30th December 1970.

An Act to enable effect to be given to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, and to make provisions for preventing the pollution of Singapore waters by oil and other substances.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1.—(1) This Act may be cited as the Prevention of Pollution of the Sea Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

PART I

PRELIMINARY

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“appointed authority” means the Director of Marine, the Port of Singapore Authority and any person appointed by the Minister for the purposes of sections 13, 14, 15 and 16 of this Act;

“Convention of 1954” means the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, done at London on the 12th day of May 1954, and the amendments made thereto and includes any Convention replacing the Convention of 1954;

“Director” means the Director of Marine appointed under section 9 of the Merchant Shipping Ordinance (Cap. 207) and includes the Deputy Director of Marine appointed under the said section;

“master” includes every person, except a pilot, having command or charge of any ship;

“mixture containing oil” means a mixture with an oil content of one hundred parts or more in one million parts of the mixture;

“occupier”, in relation to any place on land if it has no occupier, means the owner thereof and, in relation to a railway wagon or road vehicle, means the person in charge of the wagon or road vehicle and not the occupier of the land on which the wagon or vehicle stands;

“oil” means oil of any description and includes spirit produced from oil of any description, and also includes coal tar;

“oil reception facilities” has the same meaning as is assigned to it in section 8 of this Act;

“oil residues” means any waste material consisting of, or arising from, oil or a mixture containing oil;

“owner”, in relation to a vessel, means the person registered as the owner of the vessel or, in the absence of registration, the person owning the vessel:

Provided that in the case of a vessel owned by a State and operated by a company which in that State is registered as the vessel’s operator, “owner” shall include such State;

“place on land” includes anything resting on the bed or shore of the sea, or of any Singapore waters, and also includes anything afloat (other than a vessel) if it is anchored or attached to the bed or shore of the sea or of any Singapore waters;

“port” has the same meaning as is assigned to it in the Port of Singapore Authority Ordinance, 1963 (Ord. 36 of 1963);

“Port Master” means the Port Master appointed under section 33 of the Port of Singapore Authority Ordinance, 1963, and includes any Deputy Port Master appointed under the said section;

“Port of Singapore Authority” means the Port of Singapore Authority established under the Port of Singapore Authority Ordinance, 1963;

“proper authority”, for the purposes of subsection (6) of section 5 of this Act,

means the Director of Marine or the Port of Singapore Authority;

“ship” includes every description of vessel used in navigation not propelled by oars;

“Singapore ship” means a ship registered under Part XIV of the Merchant Shipping Ordinance (Cap. 207);

“Singapore waters” means the following waters, that is to say —

- (a) the whole of the sea within the seaward limits of the territorial waters of Singapore; and
- (b) all other waters (including inland waters) which are within these limits and are subject to the ebb and flow of the ordinary tides;

“substance of a dangerous or obnoxious nature” includes any substance which the Minister may, by notification published in the *Gazette*, declare to be deemed to be a substance of a dangerous or obnoxious nature, as the case may be, for the purposes of this Act;

“surveyor of ships” means a surveyor of ships appointed under section 11 of the Merchant Shipping Ordinance;

“trade effluent” means the solid or liquid waste of any trade, business or manufacture;

“vessel” includes any ship or boat or any other description of vessel used in navigation.

(2) For the purpose of any provision of this Act relating to the discharge of oil, a mixture containing oil, refuse, garbage, waste matter or substance of a dangerous or obnoxious nature from a vessel, any floating craft other than a vessel which is attached to a vessel shall be treated as part of the vessel.

(3) Any reference in any provision of this Act to a mixture containing oil shall be construed as a reference to any mixture of oil with water or with any substance.

(4) Any reference in this Act to the discharge of oil, a mixture containing oil, refuse, garbage, waste matter, substance of a dangerous or obnoxious nature or trade effluent to its being discharged from a vessel, place or thing, except where the reference is to its being discharged for a specific purpose, includes a reference to the escape of the oil, mixture containing oil, refuse, garbage, waste matter, substance of a dangerous or obnoxious nature or trade effluent, as the case may be, to its escaping from that vessel, place or thing.